

JAN 24 2006 *7P*

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF GUAM

MARY L.M. MORAN
CLERK OF COURT

UNITED STATES OF AMERICA) CRIMINAL CASE NO. 05-00011-001
Plaintiff,)
)
vs.) INFORMATIONAL REPORT
)
PAUL A.I. MENDIOLA)
Defendant.)
_____)

Re: Informational Report; No Action Requested

On February 22, 2005, Paul A. I. Mendiola made his Initial Appearance before Magistrate Judge Joaquin V. E. Manibusan Jr., pursuant to an Indictment charging him with Conspiracy to Distribute Methamphetamine Hydrochloride, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(viii), and 846, and Attempted Possession with Intent to Distribute Methamphetamine Hydrochloride, in violation of 21 U.S.C. §§ 841(a)(1), 841(b)(1)(A)(viii), and 846, and 18 U.S.C. § 2.

On the same date, Mr. Mendiola was released on a \$20,000 unsecured bond with conditions that he report to the U.S. Probation Office and the Drug Enforcement Administration as directed; maintain or actively seek employment; surrender any passport to the Clerk of Court, District Court of Guam; obtain no passport; remain at a fixed address and not change residence unless approved by the Court or U.S. Probation Office; avoid all contact, directly or indirectly, with any persons who are or who may become a victim or potential witness in the subject investigation or prosecution; refrain from possessing a firearm, destructive device, or other dangerous weapon; refrain from any use of alcohol; refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner; submit to any method of testing required by a pretrial services officer or the supervising officer for determining whether he is using a prohibited substance; report as soon as possible any contact with law enforcement; and not go near any ports of entry or exit.

On September 23, 2005, an Informational report was filed after Mr. Mendiola tested presumptive positive for methamphetamine on September 6, 2005. He denied any illegal drug use and the specimen was sent to the laboratory for confirmation. Confirmation for amphetamine and d-methamphetamine was received from the laboratory on September 14, 2005. On September 19, 2005, Mr. Mendiola admitted to using "ice" on September 5, 2005. No action was requested.

INFORMATIONAL REPORT

Information Report; No Action Requested

Re: MENDIOLA, Paul A.I.

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Special Condition: *The defendant shall refrain from use or unlawful possession of a narcotic drug or other controlled substance defined in 21 U.S.C. §802, unless prescribed by a licensed medical practitioner.*

On January 16, 2006, Mr. Mendiola submitted to urinalysis which tested presumptive positive for methamphetamine. He executed an admission form, admitting to using "ice" on January 14, 2006.

Mr. Mendiola has been a resident of the Lighthouse Recovery Center, a residential drug treatment program, since October 17, 2005. He is currently in Phase II of the program which allows for home furloughs and time to secure employment. Roy Ausec, a Recovery Counselor for the organization, stated that relapse is common among drug users. He further stated that Mr. Mendiola is under considerable legal, personal, and social stress, which does not excuse his behavior, but can be a contributing factor of why he relapsed. Mr. Ausec stated that Mr. Mendiola is co-operative and accepts full responsibility for his relapse. He will continue to work with Mr. Mendiola whom he feels has progressed well in the program.

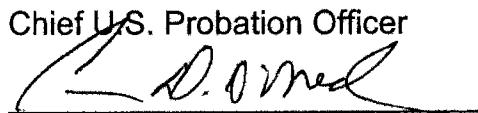
Mr. Mendiola has been returned to the start of the drug testing program. He remains in compliance with the other conditions of his release.

Recommendation: It is recommended that this report be for informational purposes only and that no action be taken at this time. Mr. Mendiola's compliance will continue to be closely monitored and any further violations will be reported to the Court accordingly.

Respectfully submitted,

FRANK MICHAEL CRUZ
Chief U.S. Probation Officer

By:


CARMEN D. O'MALLAN
U.S. Probation Officer Specialist

Reviewed by:


FRANK MICHAEL CRUZ
Chief U.S. Probation Officer

cc: Marivic David, AUSA
David Lujan, Defense Counsel
File